

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

INNOVATIVE RESEARCH, IDEAS, AND
SERVICES CORPORATION, a Michigan
corporation,

Plaintiff,

Case No. 06-12601

v.

Honorable Patrick J. Duggan

DISTRIBUTED INSTRUMENTS, LLC, a
limited liability company, and JEFFERY
RICKER, an individual,

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S
MOTION FOR AN ENTRY OF JUDGMENT BY DEFAULT**

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on January 18, 2007.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

On April 11, 2006, Innovative Research, Ideas, & Services Corporation
("Plaintiff") filed a complaint against Distributed Instruments, LLC and Jeffery Ricker
(collectively "Defendants") in Washtenaw County Circuit Court. In its complaint,
Plaintiff alleges the following: Count I (Breach of Contract); Count II (Misappropriation
of Trade Secrets); Count III (Fraud); Count IV (Innocent Misrepresentation); Count V

(Tortious Interference With Current and Prospective Contractual Relations and Advantageous Business Opportunities); Count VI (Unfair Competition - Under § 43(A) of the Lanham Act); Count VII (Injunction); and Count VIII (Breach of Fiduciary Duty). On June 12, 2006, Defendants filed a notice of removal with this Court based on federal question jurisdiction, 28 U.S.C. §§ 1331 and 1441. Presently before this Court is Plaintiff's Motion for the Entry of a Judgment by Default based on Defendants' failure to retain local counsel.¹ A hearing was held on Plaintiff's motion on January 16, 2006.

For the reasons stated at the hearing,

IT IS ORDERED that Plaintiff's Motion for Entry of a Judgment by Default is granted as to Defendant Distributed Instruments, LLC;²

IT IS FURTHER ORDERED that Plaintiff's Motion for Entry of a Judgment by Default is denied as to Defendant Jeffery Ricker.³

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:
John G. Chupa, Esq.
Jeffery Ricker
33 West Shore Drive
Putnam Valley, NY 10579

¹Because a corporation must be represented by an attorney, the failure of the corporate defendant to retain an attorney within 30 days results in that defendant being in default.

²The amount of damages owed by Defendant Distributed Instruments, LLC will be determined at a later date.

³Defendant Ricker filed a pro se appearance in this case on 12/22/06. Therefore, this case shall proceed against individual Defendant Jeffery Ricker, only.